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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 TAD SCHLATRE, et al.)
9)
10 Plaintiff(s),)
11 vs.)
12 MARATHON DIGITAL HOLDINGS,)
13 INC., et al.,)
14 Defendant(s).)
15

) Case #2:21-cv-02209-RFB-NJK

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$250.00

16 Francis P. McConville _____, Petitioner, respectfully represents to the Court:
17 (name of petitioner)

18 1. That Petitioner is an attorney at law and a member of the law firm of

19 Labaton Sucharow LLP _____

(firm name)

20 with offices at _____ 140 Broadway _____,
(street address)

21 _____ New York _____, _____ New York _____, 10005 _____,
(city) (state) (zip code)

22 (212) 907-0700 _____, _____ fmccconville@labaton.com _____.
(area code + telephone number) (Email address)

23 2. That Petitioner has been retained personally or as a member of the law firm by

24 _____ Evan Dana _____ to provide legal representation in connection with
25 [client(s)]

26 the above-entitled case now pending before this Court.

1 3. That since July 14, 2009 (date), Petitioner has been and presently is a
 2 member in good standing of the bar of the highest Court of the State of New York (state)
 3 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or
 4 from the clerk of the supreme court or highest admitting court of each state, territory, or insular
 5 possession of the United States in which the applicant has been admitted to practice law certifying
 6 the applicant's membership therein is in good standing.

7 4. That Petitioner was admitted to practice before the following United States District
 8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
 9 of other States on the dates indicated for each, and that Petitioner is presently a member in good
 10 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
District of Colorado	June 6, 2014	n/a
Eastern District of Michigan	September 17, 2014	n/a
Eastern District of New York	February 29, 2012	n/a
Western District of New York	July 1, 2021	n/a
Southern District of New York	February 10, 2012	FM4233

19 5. That there are or have been no disciplinary proceedings instituted against petitioner,
 20 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory
 21 or administrative body, or any resignation or termination in order to avoid disciplinary or
 22 disbarment proceedings, except as described in detail below:

23 none

1 6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give
2 particulars if ever denied admission):

none

7. That Petitioner is a member of good standing in the following Bar Associations.

none.

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

12	Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
13				

14 None
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(If necessary, please attach a statement of additional applications)

20 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
22 extent as a member of the State Bar of Nevada.

23 10. Petitioner agrees to comply with the standards of professional conduct required of
24 the members of the bar of this court.

25 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
26 practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY.



Petitioner's signature

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4 STATE OF NEW YORK)
5 COUNTY OF NEW YORK)
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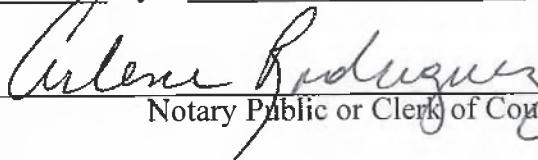
7 Francis P. McConville, Petitioner, being first duly sworn, deposes and says:
8 That the foregoing statements are true.



Petitioner's signature

9
10 Subscribed and sworn to before me this

11 7th day of September, 2022.

12 
13 Arlene Rodriguez ARLENE RODRIGUEZ
Notary Public or Clerk of Court No. 01RO6180571
14 Qualified in New York County
Commission Expires 01/14/2024

15
16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO
THE BAR OF THIS COURT AND CONSENT THERETO.**

17 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
18 believes it to be in the best interests of the client(s) to designate Don Springmeyer,
19 (name of local counsel)
20 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
21 above-entitled Court as associate resident counsel in this action. The address and email address of
22 said designated Nevada counsel is:

23 Kemp Jones LLP, 3800 Howard Hughes Parkway,
(street address)

24 Las Vegas, Nevada, 89169,
(city) (state) (zip code)

25 702-385-6000, d.springmeyer@kempjones.com,
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.

4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

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7 The undersigned party(ies) appoint(s) Don Springmeyer as
8 (name of local counsel)
his/her/their Designated Resident Nevada Counsel in this case.

9

DocuSigned by:

 Evan Dana

769D4B7C3B88493...
(party's signature)

10

Evan Dana, Movant
(type or print party name, title)

11

(party's signature)

12

(type or print party name, title)

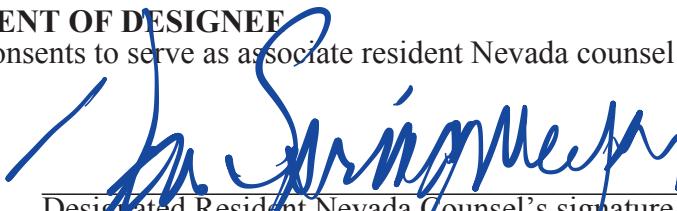
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CONSENT OF DESIGNEE

14

The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

15



Designated Resident Nevada Counsel's signature

16

SBN 1021
Bar number

d.springmeyer@kempjones.com
Email address

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APPROVED:

24

DATED this 8th day of September, 2022.

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RICHARD F. BOULWARE, II
United States District Judge

Exhibit A



*Appellate Division of the Supreme Court
of the State of New York
First Judicial Department*

I, Susanna M. Rojas, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, do hereby certify that

Francis Paul Mcconville

was duly licensed and admitted to practice as an Attorney and Counselor at Law in all the courts of this State on July 13, 2009, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors at Law on file in this office, is duly registered with the Administration Office of the Courts, and according to the records of this Court is currently in good standing as an Attorney and Counselor-at-Law.

*In Witness Whereof, I have hereunto set
my hand in the City of New York on
June 9, 2022.*



Susanna M. Rojas

Clerk of the Court